WASTE TIRE FACILITY PERMIT

Facility/Permit Number:

24-TI-0656
TPID # 1003314-01

1. Name & Street Address of Facility:	2. Name & Mailing Address of Operator:	3. Name & Mailing Address of Property Owner:
Golden By-Products, Inc. 13000 Newport Road Ballico, CA 95303	Brett Barstow, CEO Golden By-Products, Inc. P.O. Box 1 Ballico, CA 95303	Brett Barstow, CEO Golden By-Products, Inc. P.O. Box 1 Ballico, CA 95303

4. Specifications:

a. Permit Type: ☒ **Major Waste Tire Facility**

b. Maximum Permitted Capacity: **See permit condition 15.a.**

c. Permitted Area (acres): **24 acres**

Violation of any term or condition of this permit or the Waste Tire Storage and Disposal Standards may result in any of the following: issuance of orders (clean up and abatement or cease and desist); penalties (civil, administrative, or criminal); and permit revocation or suspension.

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The included findings and conditions supersede the conditions of any previously issued waste tire facility permit and/or exclusion(s).

This permit shall remain active unless or until suspended, revoked, or the facility is closed pursuant to Title 14, California Code of Regulations (14 CCR), Section 18440 or the facility is determined to be abandoned.

5. Approval:

Approving Officer Signature

Susan Markie, Chief
Permitting & Assistance Branch
Waste Permitting, Compliance & Mitigation Division
Department of Resources Recycling & Recovery (CalRecycle)

6. Enforcement Agency Name and Address:

Department of Resources Recycling and Recovery
(CalRecycle)
1001 I Street
P.O. Box 4025
Sacramento, CA 95812

Waste Tire Hotline: (866) 896-0600

7. Date Application Received:	8. Date Application Accepted:
02/27/2015	03/15/2015

9. Permit Issued Date:	10. Permit Review Due Date:	11. Owner/Operator Transfer Date:
10/16/2015	10/16/2020	

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12. Legal Description of Facility:

Assessor's Parcel Number (APN): 41-120-19

13. Findings:

a. This permit is consistent with the standards adopted by the California Department of Resources Recycling and Recovery (CalRecycle) as required by 14 CCR, Division 7, Chapter 6.

b. The design and operation of the facility is consistent with the Waste Tire Storage and Disposal Standards applicable to a major waste tire facility, pursuant to PRC Section 42820, et seq. and implementing regulations found in 14 CCR, Division 7, Chapter 3.

c. CalRecycle, acting as lead agency for the purposes of CEQA prepared a Negative Declaration, State Clearinghouse (SCH) #2002121011, for the Major Waste Tire Facility at 13000 Newport Road, Ballico, CA. CalRecycle adopted the Negative Declaration (ND) on February 11, 2003; a Notice of Determination was filed on February 18, 2003. The issuance of this permit is supported by existing CEQA documentation.

d. This permit does not release the permittee from their responsibility under any other existing laws, ordinances, regulations, or statutes of other government agencies.

e. Violation of any term or condition of this permit or the Waste Tire Storage and Disposal Standards may result in enforcement action(s) which include but are not limited to the following: issuance of orders (clean up and abatement or cease and desist); penalties (civil, administrative, criminal); and permit revocation or suspension.

14. The following documents describe and/or restrict the operation of this facility:

		Date			Date
☒	Permit Application (CalRecycle 500)	2/26/2015	☒	Vector Control Approved Alternatives	2/24/2015
☒	Operation Plan (CalRecycle 501)	2/26/2015	☒	Local Fire Authority Requirements/ Approved Alternatives	Various
☒	Environmental Information (CalRecycle 502)	2/26/2015	☒	Conditional Use Permit	8/09/2002
☒	Emergency Response Plan (CalRecycle 503)	2/26/2015	☒	Fire Safety Plan	12/2014
☒	Closure Plan (CalRecycle 504)	2/26/2015	☒	Negative Declaration	2/11/2003
☒	Reduction/Elimination Plan	2/26/2015	☐	Local & County Ordinances	N/A
☒	Closure Financial Responsibility Document	2/26/2015	☐	Lease Agreements - Owner & Operator	N/A
☒	Operating Liability Document	10/1/2015	☐	Air Pollution Permits and Variances	N/A

15. Conditions - Site Specific:

a. The facility is permitted to store up to a maximum of:

i. 1,200 tons (120,000 passenger tire equivalents or PTE) of a combination of whole waste tires, altered waste tires two inches or larger in diameter, and altered waste tires larger than ¼ inch that are not stored in bins or bags.

ii. 6,500 tons of altered waste tires that are larger in size than ¼ inch where the average size is less than two inches in diameter and are stored in bins or bags.

iii. Not included in the permitted tire count are: crumb rubber and molded tire products manufactured from crumb rubber. "Crumb rubber" means rubber granules derived from a waste tire that are less than or equal to, one-quarter inch or six millimeters in size. (PRC 42801.7).

15. Conditions - Site Specific (continued):

b. A waste tire includes a repairable tire, scrap tire, baled tire, and altered waste tire as defined in PRC 42807. A waste tire does not include crumb rubber, tire derived product as defined in PRC 42805.7, or a used tire meeting the definition of PRC Section 42806.5.

   i. A repairable tire means a worn, damaged, or defective tire that is retreadable, recappable, or regrooveable, or that can be otherwise repaired to return the tire to its use as a vehicle tire, as defined in PRC 42805.5.

   ii. A used tire is stored by size in a rack or a stack not more than two rows wide and in a manner to allow the inspection of each individual tire, not in a pile, pursuant to PRC 42806.5. Tires stored in a manner inconsistent with PRC 42806.5 shall be considered waste tires and counted as part of the permitted total waste tire count.

c. All of waste tires described in condition 15.a. must be handled and stored in a manner consistent with fire requirements outlined in 14 CCR 17351 and 17354.

d. Tire storage shall be arranged as approved on the attached Site Plan, or an amended Site Plan approved by CalRecycle in writing.

e. Used tires and whole or altered waste tires shall be stored only within the boundary of the permitted facility as outlined on the attached or approved Site Plan.

f. Permittee shall not store whole or altered waste tires inside the onsite warehouse.

Reporting, Notification and Backup Equipment Requirements

g. All reporting and notification requirements and logs shall be maintained onsite and made available to CalRecycle inspectors for inspection during business hours and, where applicable, sent by email to WasteTires@CalRecycle.ca.gov or by fax to (916) 319-7605 and shall include "Golden By Products Reporting and Notifications" in the subject line.

h. The permittee shall submit to CalRecycle by the 15th of each month a report containing the following information for the prior month:

   i. Tons of tires coming into the facility;

   ii. Tons of waste tires leaving the facility including, but not limited to, tires disposed, used as chip fuel, or in the form of shreds;

   iii. Tons of used tires, metal and tire fluff leaving the facility;

   iv. An estimated number of rims removed;

   v. Tons of waste tires processed into crumb rubber, nuggets, or bark; and

   vi. A report summarizing the results of a count of the number of all tires being stored onsite. The report shall include the date the count was conducted and all pile dimensions and assumptions used in the calculations (tire conversions used pursuant to methods approved by CalRecycle) of each tire pile.

i. The permittee shall maintain an Equipment Downtime and Special Occurrence Log.

   i. The log shall include dates, times and durations that shredding, rasper, de-rimming/snipper equipment**,** and other equipment directly related to processing waste tires is down due to breakdown or service, including knife changes but excluding daily routine preventative maintenance.

   ii. The log shall include and describe all occurrences that affect the normal day-to-day processing of incoming and outgoing tires, including, but not limited to, the inclusion of all fire department trainings.

   iii. If equipment identified in the subparagraph i., above is down for three (3) or more consecutive business days, the permittee shall immediately report that occurrence to CalRecycle.

j. If equipment described in paragraph h subparagraph i. above, is down for three (3) or more consecutive business days, the permittee shall have backup equipment onsite and operational that is adequate to fully replace the function(s) of the inoperative equipment. If the permittee cannot or fails to have adequate backup equipment onsite and operational, the permittee shall immediately take the following steps:

   i. Convert from the monthly inventory reporting (described in condition 15.h above) to a weekly frequency until the equipment is back in operation;

ii. Stop taking waste tires at the facility until the amount of waste tires onsite is within the permitted limits set forth in condition 15.a.; and

iii. If the permittee is unable to otherwise remove the excess waste tires, the permittee shall properly alter whole tires and remove the excess waste tires to the extent required to comply with condition 15.a. above.

k. At the time it is determined that the amount of waste tires onsite exceeds the amounts permitted by condition 15.a., the permittee shall immediately report this to CalRecycle and describe the actions being taken to reduce the amount of tires including the location to where waste tires are being taken.

Processing Tire with Rims

l. Tires with rims must be processed to remove rims immediately upon arrival at the waste tire facility. The permittee shall actively process to de-rim all tires with rims received each day. All tires temporarily attached to rims awaiting removal, as well as forklift tires, ATV Tires, and polyurethane rubber infill tires, shall be immediately separated and stored apart from other waste tires. The permittee shall maintain:

i. One specific and separate rim crushing area for processing passenger tires and truck tires with snipped rims. All equipment necessary for rim removal and crushing must be maintained within the rim crushing area.

ii. One specific and separate rim crushing area used for processing non-removable rim tires.

iii. One specific and separate polyurethane rubber infill tire processing area, with and without rims, sorted and staged until the snipper cuts off the tire and rim and then the steel and tire are moved to the separate areas.

These three rim removal/crushing areas may be located within any of the tire storage, processing, or recovery locations that are noted on the Site Plan. Each rim removal/crushing area shall be inside the designated 5,000 square foot tire storage, processing, or recovery area and must maintain all required set-back distances.

Whole Waste Tires and Altered Waste Tires Larger than Two Inches in Diameter and Processed or Partially Processed Tire Material Larger Than ¼ Inch Not Stored in Bags or Bins

m. The permittee shall ensure all waste tire piles do not exceed 10 feet in height, with the exception of the one pile that is fed by the main shredder and rotary stacker (Shredder Pile).

n. The Shredder Pile shall not exceed 20 feet in height and shall be maintained as follows:

i. When over 10 feet in height, the Shredder Pile must be in the shape of a single cone in which volume may be determined by the calculation of volume (v) = 1/3(area of base) x (height of cone).

ii. The Shredder Pile shall be limited to a maximum footprint of 5,000 square feet and a maximum volume of 50,000 cubic feet.

iii. The Shredder Pile shall be separated by at least 40 feet from other waste tire piles or any flammable material and shall be at least 50 feet from buildings and the permitted facility boundary.

iv. If the main shredder is not operated for over 24 hours, the rotary stacker shall be moved at least 40 feet from the Shredder Pile.

o. All waste tire storage piles and working areas containing waste tires shall be limited to a maximum footprint of 5,000 square feet and shall be separated from any other waste tire pile, combustible ground vegetation, stored used tires, tire shreds, crumb rubber, tire fluff, tire wire, products made from tires, or any other combustible material by a distance of at least 40 feet and at least 50 feet from buildings and the permitted facility boundary, except as allowed by 14 CCR 17354.

p. If permittee stores more than 150,000 cubic feet of waste tires, adjacent individual waste tire piles shall be considered a group, and the aggregate volume of storage piles in a group shall not exceed 150,000 cubic feet. Each group shall be separated from any other group by a distance of at least 75 feet. These separate groups are noted on the Site Plan and shall be delineated at the site by markers as described in the facility's marker system.

q. The facility marker system shall be submitted to CalRecycle for review and approval within 60 days of the permit issuance date. The facility shall submit to CalRecycle and receive approval any requests to revise the facility marker system prior to

implementing any change. Movable markers are to be provided to delineate the boundary for each 150,000 cubic foot or less group and 5,000 square foot (or less) storage piles and working areas including, but not limited to, the night pile(s), rim pile(s), over-sized tire pile(s) (off road tires - OTR) and whole tire, shredded, or altered waste tire pile(s).

r. Fifteen (15) foot poles with highly visible markers at 6 feet, 8 feet, 10 feet, and 12 feet, shall be installed within visual proximity of each area where waste tires are stored with the exception of the bins or bags storage area. The intent of this provision is to have a sufficient number of poles for an employee and inspector to be able to determine tire pile heights relative to pole heights and markings for all piles on the permitted facility. The poles need not be permanent and can be moved to accommodate the facility's operational needs. The poles shall not be located in the fire lanes nor in a manner that obstruct the fire lanes.

s. Storage of tire fluff and tire wire shall be stored in a separate, specific area within the permitted boundary, and maintained in a manner to avoid migration of this material to other areas of the facility and off-site.

Bin and Bag (Supersack) Storage of Processed Tire Material (Outdoor Only)

t. This section refers to the storage of altered waste tires described by condition 15.a.ii.

   i. For the purposes of this permit, the bins are the wooden or metal boxes, measuring four feet by four feet by four feet, in use by the permittee at the time of the issuance of this permit, and bags are "2,100 pound supersacks" in use by the permittee at the time of the issuance of this permit. The permittee shall obtain CalRecycle approval prior to changing to other types of storage methods.

   ii. Each storage area with bins or bags shall be limited to a maximum footprint of 5,000 square feet and shall be separated by at least 40 feet from any adjacent waste tire storage area.

   iii. Bins and bags shall not be stored more than 10 feet high. Bags shall not be stacked.

   iv. Bins and bags shall be stored at least 50 feet from buildings and the permitted facility boundary.

Other

u. Any other combustible material stored on the permitted facility shall be stored in a manner that maintains the required 40-foot separation from waste tire storage areas.

Vector Control

v. The Merced County Mosquito Abatement District shall be promptly notified if Golden By-Products, Inc. personnel notice an increase in insects on site and especially an increase associated with incoming tire shipment(s).

w. Water shall be drained from the incoming tires during the unloading process. Tires shall be stored in a manner that prevents water from accumulating in the tires. After a rainfall event, tires that are holding water shall be shredded first.

x. Any water at the facility shall not be allowed to stand or pond for more than three days. This does not include stored water used for fire protection.

16. Conditions - General:

a. The design and operation of this facility shall comply with the applicable Waste Tire Storage and Disposal Standards contained in 14 CCR, Division 7, Chapter 3, Article 5.5. The permittee shall comply with the permitting requirements in 14 CCR, Division 7, Chapter 6.

b. In the event of a fire or other emergency the permittee shall notify CalRecycle within 24 hours by calling the Waste Tire Hotline at (866) 896-0600.

c. Upon presentation of proper credentials, CalRecycle staff or authorized representative of CalRecycle, shall be allowed to enter the permitted facility during normal operating hours to examine and copy books, papers, records, or memorandum, to take photographs of the facility, and to conduct inspections and investigations pertaining to the facility. Upon request, the permittee shall provide copies of any and all required records to CalRecycle or an authorized representative within a timeframe specified by CalRecycle or the authorized representative. CalRecycle staff, designated contractors, and representatives shall also have access to the facility to investigate, remediate, or stabilize the facility, if such activities are deemed necessary to protect the public health, safety, and the environment.

d. The permittee shall maintain a copy of any local fire authority approved alternatives and Fire Safety Plan at the facility. The permittee shall maintain a copy of the Emergency Response Plan at the facility. At the time of permit issuance, the permittee shall forward a copy of the Emergency Response Plan to the local fire authority. The Emergency Response Plan shall be revised as necessary to reflect any changes in the operations of the waste tire facility or requirements of the local fire authority. Such revisions to the Emergency Response Plan will not be effective until CalRecycle concurs with the revisions. All emergency phone numbers shall be updated immediately. The local fire authority and CalRecycle shall be notified of any changes to the Emergency Response Plan within 30 days of implementing the revision.

e. The permittee shall maintain copies of all waste and used tire manifests required by Title 14 Section 18459.3 documenting tire movement in and out of the facility for a minimum of three (3) years.

f. The permit-related Tire Program Identification (TPID) Certificate shall be posted in a visible location at the facility as required by 14 CCR Section 18459.1.

g. This permit shall be posted in a visible location at the facility and the Operation Plan and Emergency Response Plan for this facility shall be available on-site. All facility personnel shall be familiar with the terms and conditions of this permit, Operation Plan and Emergency Response Plan for this facility.

h. Other local permits or approvals referenced in this permit shall be maintained in force at all times that this permit is active. In the event the permittee intends to modify any permit or approval from another government program, the permittee shall notify CalRecycle in writing at least 30 days prior to the change and include copies of any renewed or modified permits or approvals from these agencies. In the event any permit or approval from another government program is modified, suspended or revoked, or expires, the permittee shall notify CalRecycle in writing within five (5) working days of the modification, suspension, revocation or expiration, and include copies of the pertinent documents with the notification.

i. The permittee shall notify CalRecycle in writing of each administrative change no later than seven (7) business days after the change is effective. Administrative changes shall include, but not be limited to, changes to any information in the application that does not apply to the design and operation of the facility.

j. If the owner or operator of this facility plans to sell, encumber, transfer or convey the ownership or operation of the facility or land to a new owner or operator, or plans to change their address, then the permittee shall notify CalRecycle 30 days prior to the date of the planned transaction. The new owner or operator shall submit information to CalRecycle as prescribed in 14 CCR Section 18428.

k. The terms and conditions of this permit may change as a result of a revision of CalRecycle's statutes or regulations or documented reoccurring violations at the site.

l. The permittee shall report to CalRecycle the receipt of 10 or more waste or used tires from unregistered haulers in a manner that is consistent with 14 CCR Section 18461.

m. The permittee shall maintain a copy of the Operation Plan at the facility. All site conditions, equipment, and precautions outlined in the Operation Plan shall remain in force at all times that this permit is active. In no case shall the permittee implement any change at the facility without first seeking approval from CalRecycle by submitting a written notice of the proposed change to CalRecycle at least 90 days in advance of the change. Such revisions to the Operation Plan will not be effective until CalRecycle concurs with the revisions.

n. CalRecycle staff reserves the right to suspend or modify waste tire receiving and/or storage operations when deemed necessary due to an emergency, a potential health hazard or the creation of a public nuisance, to protect the public health and safety, protect and rehabilitate or enhance the environment, or to mitigate adverse environmental impacts.

o. The permittee shall only give, contract, or arrange with California registered used and waste tire haulers to transport waste tires or tire pieces (greater than 1/4") away from the facility, unless the hauler is exempt as specified in PRC Section 42954, or CalRecycle has granted written approval to the permittee or the hauler.

p. The permittee shall only give, contract, or arrange for the removal of Tire Derived Product (TDP) from the facility after first obtaining an exemption letter from CalRecycle, and providing a copy of that letter to the hauler as required by 14 CCR Section 18451. In the absence of a letter, the permittee shall ensure that all loads of TDP removed from the facility comply with all manifesting requirements.

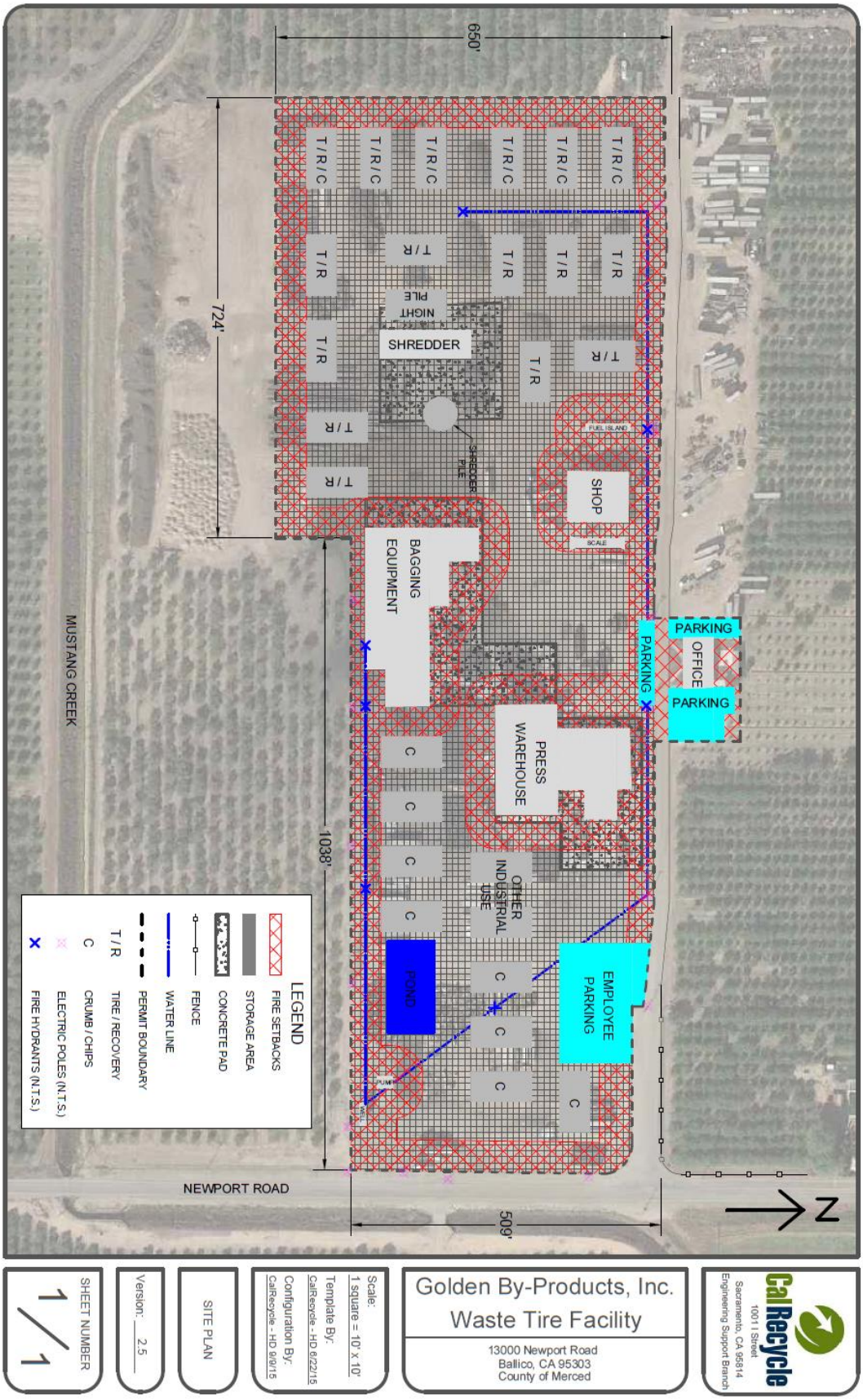
q. Waste tires used in on-site construction projects or any other on-site beneficial reuse must be pre-approved as required by 14 CCR Section 18431.3; otherwise, the waste tires shall count toward the Maximum Permitted Capacity specified on page one of this permit.

r. This permit has been issued to the operator for the waste tire facility located at 13000 Newport Road, Ballico, CA 95303 and is not transferable to any other location, pursuant to PRC Section 42808.

s. The permittee shall submit an updated Closure Plan (Part B), CalRecycle form 504, as specified in 14 CCR Section 18442, at least 120 days prior to the anticipated closure of the facility.

t. The permittee shall maintain adequate financial assurance in accordance with the closure requirements of 14 CCR, Division 7, Chapter 6, Article 9 and operating and environmental liability in accordance with the requirements of 14 CCR, Division 7, Chapter 6, Article 10.

WASTE TIRE FACILITY PERMIT

Facility/Permit Number:

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